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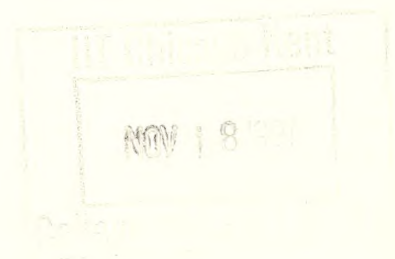


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Editor's Note: The Cumulative Index and Sections Affected Index will be printed on a quarterly basis. The printing schedule for the quarterly and annual indexes are as follows:

April 19, 1996 - Issue 16: Through	March 31, 1996
July 19, 1996 - Issue 29: Through	June 30, 1996
October 18, 1996 - Issue 42: Through	September 30, 1996
January 17, 1997 - Issue 3: Through	December 31, 1996 (Annual)

INTRODUCTION

The *Illinois Register* is the official state document for publishing public notice of rulemaking activity initiated by State governmental agencies. The table of contents is arranged categorically by rulemaking activity and alphabetically by agency within each category. The Register also contains a Cumulative Index listing alphabetically by agency the Parts (sets of rules) on which rulemaking activity has occurred in the current Register volume year and a Sections Affected Index listing by Title each Section (including supplementary material) of a Part on which rulemaking activity has occurred in the current volume year. Both indices are action coded and are designed to aid the public in monitoring rules.

Rulemaking activity consists of proposed or adopted new rules; amendments to or repealers of existing rules; and rules promulgated by emergency or peremptory action. Executive Orders and Proclamations issued by the Governor; notices of public information required by State statute; and activities (meeting agendas, Statements of Objection or Recommendation, etc.) of the Joint Committee on Administrative Rules (JCAR), a legislative oversight committee which monitors the rulemaking activities of State agencies; is also published in the Register.

The Register is a weekly update to the *Illinois Administrative Code* (a compilation of the rules adopted by State agencies). The most recent edition of the Code along with the Register comprise the most current accounting of State agencies' rules.

The Illinois Register is the property of the State of Illinois, granted by the authority of the Illinois Administrative Procedure Act [5 ILCS 100/1-1 et seq.].

REGISTER PUBLICATION SCHEDULE 1997

Material Rec'd after Noon on:	And before Noon on:	Will be in Issue #:	Published on:	Material Rec'd after Noon on:	And before Noon on:	Will be in Issue #:	Published on:
Dec. 24, 1996	Dec. 31, 1996	1	Jan. 3, 1997	July 1, 1997	July 8, 1997	28	July 11, 1997
Dec. 31, 1996	Jan. 7, 1997	2	Jan. 10, 1997	July 8, 1997	July 15, 1997	29	July 18, 1997
Jan. 7, 1997	Jan. 14, 1997	3	Jan. 17, 1997	July 15, 1997	July 22, 1997	30	July 25, 1997
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Jan. 28, 1997	Feb. 4, 1997	6	Feb. 7, 1997	Aug. 5, 1997	Aug. 12, 1997	33	Aug. 15, 1997
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Feb. 11, 1997	Feb. 18, 1997	8	Feb. 21, 1997	Aug. 19, 1997	Aug. 26, 1997	35	Aug. 29, 1997
Feb. 18, 1997	Feb. 25, 1997	9	Feb. 28, 1997	Aug. 26, 1997	Sept. 2, 1997	36	Sept. 5, 1997
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Mar. 4, 1997	Mar. 11, 1997	11	Mar. 14, 1997	Sept. 9, 1997	Sept. 16, 1997	38	Sept. 19, 1997
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Mar. 18, 1997	Mar. 25, 1997	13	Mar. 28, 1997	Sept. 23, 1997	Sept. 30, 1997	40	Oct. 3, 1997
Mar. 25, 1997	Apr. 1, 1997	14	Apr. 4, 1997	Sept. 30, 1997	Oct. 7, 1997	41	Oct. 10, 1997
Apr. 1, 1997	Apr. 8, 1997	15	Apr. 11, 1997	Oct. 7, 1997	Oct. 14, 1997	42	Oct. 17, 1997
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June 3, 1997	June 10, 1997	24	June 13, 1997	Dec. 9, 1997	Dec. 16, 1997	51	Dec. 19, 1997
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June 17, 1997	June 24, 1997	26	June 27, 1997	Dec. 23, 1997	Dec. 30, 1997	1	Jan. 2, 1998
June 24, 1997	July 01, 1997	27	July 7, 1997*	Dec. 30, 1997	Jan. 6, 1998	2	Jan. 9, 1998

Please note: When the Register deadline falls on a State holiday, the deadline becomes 4:30 p.m. on Monday (the day before).

* Monday

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: Pay Plan
- 2) The Code Citation: 80 Ill. Adm. Code 310
- 3) Section Numbers: Proposed Action:
 310.230 Amend
 310.270 Amend
 310.280 Amend
- 4) Statutory Authority: Authorized by Sections 8 and 8a of the Personnel Code [20 ILCS 415/8 and 8a].
- 5) A Complete Description of the Subjects and Issues Involved: In Section 310.230, Part-Time Daily or Hourly Special Services Rate, the hourly and daily rate changes pertain to the FLSA minimum wage increase (\$4.75 to \$5.15) that became effective September 1, 1997.

The minimum wage for the following titles is being upgraded to \$5.15 per hour and/or \$39.00 per day: Building/Grounds Laborer, Building/Grounds Lead I, Building/Grounds Maintenance Worker, Chaplain I, Chemist I, Conservation/Historic Preservation Worker, Educator, Educator Aide, Janitor I, Labor Maintenance Lead Worker, Labor Relations Investigator, Laborer (Maintenance), Maintenance Worker, Psychologist I, Social Workers I and II, and Student Worker.

The minimum daily wage for the Recreation Worker I is being upgraded to \$40.00 to be in alignment with the present hourly rate. The Recreation Worker I's maximum daily rate will be revised from \$40.00 to \$45.00.

In Section 310.270, Legislated and Contracted Rate, the Arbitrator's annual salary should be revised from \$79,999 to \$81,509.

In Section 310.280, Designated Rate, the following updates reflect changes already approved by the Governor:

In the Department of Children and Family Services, the Private Secretary II position is being deleted.

In the Department of Commerce and Community Affairs, the Public Service Administrator's annual salary is being revised from \$65,592 to \$69,528. The position codes for the Economic Development Representative II and Public Information Officer IV should be changed to 12932-42-35-110-10-02 and 37004-42-00-000-01-02, respectively.

The Department of Mental Health and Developmental Disabilities is being changed to the Department of Human Services, which is the successor of the former agency. A Medical Administrator I, Option D is being added with the annual salary of \$142,368. The position code for another Medical

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PROPOSED AMENDMENTS

- Administrator I, Option D, should be changed to 26401-10-81-903-10-01. The Medical Administrator II, Option D and Private Secretary II positions are being deleted. Also, a Senior Public Service Administrator is being added with the annual salary of \$105,480.
- In the Department of Natural Resources, an Administrative Assistant II is being added with the annual salary of \$50,520.
- In the Department of Revenue, the Public Service Administrator position is being deleted.
- In the Department of State Police, the Senior Public Service Administrator's annual salary should be reflected as \$99,214.

6) Will this proposed rule replace an emergency rule currently in effect? No

7) Does this rulemaking contain an automatic repeal date? No

8) Do these proposed amendments contain any incorporations by reference? No

9) Are there any proposed amendments pending to this Part? Yes

Section Numbers	Proposed Action	Ill. Reg. Citation
310.110	Amended	21 Ill. Reg. 9923 (July 21, 1997)
310.130	Amended	21 Ill. Reg. 9923 (July 21, 1997)
310.290	Amended	21 Ill. Reg. 9923 (July 21, 1997)
310.450	Amended	21 Ill. Reg. 9923 (July 21, 1997)
310.530	Amended	21 Ill. Reg. 9923 (July 21, 1997)
310.540	Amended	21 Ill. Reg. 9923 (July 21, 1997)
310. Appendix B	Amended	21 Ill. Reg. 9923 (July 21, 1997)
310. Appendix C	Amended	21 Ill. Reg. 9923 (July 21, 1997)
310. Appendix D	Amended	21 Ill. Reg. 9923 (July 21, 1997)
310. Appendix G	Amended	21 Ill. Reg. 9923 (July 21, 1997)
310. Appendix D	Amended	21 Ill. Reg. 12859 (September 8, 1997)
310. Appendix G	Amended	21 Ill. Reg. 12859 (September 8, 1997)

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PROPOSED AMENDMENTS

10) Statement of Statewide Objectives: These amendments to the Pay Plan pertain only to State employees subject to the Personnel Code and do not set out any guidelines that are to be followed by local or other jurisdictional bodies within the State.

11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking:

Mr. Michael Murphy
Department of Central Management Services
Division of Technical Services
504 William G. Stratton Building
Springfield, Illinois 62706
Telephone: (217) 782-5601

12) Initial Regulatory Flexibility Analysis:

A) Types of small businesses, small municipalities and not for profit corporations affected: None. The Department of Central Management Services' Pay Plan extends only to Personnel Code employees under the jurisdiction of the Governor.

B) Reporting, bookkeeping or other procedures required for compliance:
None

C) Types of professional skills necessary for compliance: None

13) Regulatory Agenda on which this rulemaking was summarized: January 1997

The full text of the proposed amendment(s) begins on the next page.

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PROPOSED AMENDMENTS

TITLE 80: PUBLIC OFFICIALS AND EMPLOYEES
SUBTITLE B: PERSONNEL RULES, PAY PLANS, AND
POSITION CLASSIFICATIONS

CHAPTER I: DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

PART 310
PAY PLAN

SUBPART A: NARRATIVE

Section	
310.20	Policy and Responsibilities
310.30	Jurisdiction
310.40	Pay Schedules
310.50	Definitions
310.60	Conversion of Base Salary to Pay Period Units
310.70	Conversion of Base Salary to Daily or Hourly Equivalents
310.80	Increases in Pay
310.90	Decreases in Pay
310.100	Other Pay Provisions
310.110	Implementation of Pay Plan Changes for Fiscal Year 1997
310.120	Interpretation and Application of Pay Plan
310.130	Effective Date
310.140	Reinstitution of Within Grade Salary Increases
310.150	Fiscal Year 1985 Pay Changes in Schedule of Salary Grades, Effective July 1, 1984 (Repealed)

SUBPART B: SCHEDULE OF RATES

Section	
310.205	Introduction
310.210	Prevailing Rate
310.220	Negotiated Rate
310.230	Part-Time Daily or Hourly Special Services Rate
310.240	Hourly Rate
310.250	Member, Patient and Inmate Rate
310.260	Trainee Rate
310.270	Legislated and Contracted Rate
310.280	Designated Rate
310.290	Out-of-State or Foreign Service Rate
310.300	Educator Schedule for RC-063 and HR-010
310.310	Physician Specialist Rate
310.320	Annual Compensation Ranges for Executive Director and Assistant Executive Director, State Board of Elections
310.330	Excluded Classes Rate (Repealed)

SUBPART C: MERIT COMPENSATION SYSTEM

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PROPOSED AMENDMENTS

Section	Jurisdiction
310.410	Objectives
310.420	Responsibilities
310.430	Merit Compensation Salary Schedule
310.440	Procedures for Determining Annual Merit Increases
310.450	Intermittent Merit Increase
310.455	Merit Zone (Repealed)
310.460	Other Pay Increases
310.470	Adjustment
310.480	Decreases in Pay
310.490	Other Pay Provisions
310.495	Broad-Band Pay Range Classes
310.500	Definitions
310.510	Conversion of Base Salary to Pay Period Units
310.520	Conversion of Base Salary to Daily or Hourly Equivalents
310.530	Implementation
310.540	Annual Merit Increase Guidechart for Fiscal Year 1997
310.550	Fiscal Year 1985 Pay Changes in Merit Compensation System, effective July 1, 1984 (Repealed)
APPENDIX A	Negotiated Rates of Pay
TABLE A	HR-190 (Department of Central Management Services - State of Illinois Building - SEIU)
TABLE AA	NR-916 (Department of Natural Resources, Teamsters)
TABLE B	HR-200 (Department of Labor - Chicago, Illinois - SEIU)
TABLE C	RC-069 (Firefighters, AFSCME)
TABLE D	HR-001 (Teamsters Local #726) (Repealed)
TABLE E	RC-020 (Teamsters Local #330)
TABLE F	RC-019 (Teamsters Local #25)
TABLE G	RC-045 (Automotive Mechanics, IFPE)
TABLE H	RC-006 (Corrections Employees, AFSCME)
TABLE I	RC-009 (Institutional Employees, AFSCME)
TABLE J	RC-014 (Clerical Employees, AFSCME)
TABLE K	RC-023 (Registered Nurses, INA)
TABLE L	RC-008 (Boilermakers)
TABLE M	RC-110 (Conservation Police Lodge)
TABLE N	RC-010 (Professional Legal Unit, AFSCME)
TABLE O	RC-028 (Paraprofessional Human Services Employees, AFSCME)
TABLE P	RC-029 (Paraprofessional Investigatory and Law Enforcement Employees, IFPE)
TABLE Q	RC-033 (Meat Inspectors, IFPE)
TABLE R	RC-042 (Residual Maintenance Workers, AFSCME)
TABLE S	HR-012 (Fair Employment Practices Employees, SEIU)
TABLE T	HR-010 (Teachers of Deaf, IFT)
TABLE U	HR-010 (Teachers of Deaf, Extracurricular Paid Activities)
TABLE V	CU-500 (Corrections, Meet and Confer Employees)
TABLE W	RC-062 (Technical Employees, AFSCME)

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TABLE Y	RC-063 (Educators, AFSCME)
TABLE Z	RC-063 (Physicians, AFSCME)
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APPENDIX C	Medical Administrator Rates for Fiscal Year 1997
APPENDIX D	Merit Compensation System Salary Schedule for Fiscal Year 1997
APPENDIX E	Teaching Salary Schedule (Repealed)
APPENDIX F	Physician and Physician Specialist Salary Schedule (Repealed)
APPENDIX G	Broad-Band Pay Range Classes Salary Schedule
AUTHORITY:	Implementing and authorized by Sections 8 and 8a of the Personnel Code [20 ILCS 415/8 and 8a].

SOURCE: Filed June 28, 1967; codified at 8 Ill. Reg. 1558; emergency amendment at 8 Ill. Reg. 1990, effective January 31, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 2440, effective February 15, 1984; emergency amendment at 8 Ill. Reg. 3348, effective March 5, 1984, for a maximum of 150 days; emergency amendment at 8 Ill. Reg. 4249, effective March 16, 1984, for a maximum of 150 days; emergency amendment at 8 Ill. Reg. 5704, effective April 16, 1984, for a maximum of 150 days; emergency amendment at 8 Ill. Reg. 7290, effective May 11, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 11299, effective June 25, 1984; emergency amendment at 8 Ill. Reg. 12616, effective July 1, 1984, for a maximum of 150 days; emergency amendment at 8 Ill. Reg. 15007, effective August 6, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 15367, effective August 13, 1984; emergency amendment at 8 Ill. Reg. 21310, effective October 10, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 21544, effective October 24, 1984; amended at 8 Ill. Reg. 22844, effective November 14, 1984; emergency amendment at 9 Ill. Reg. 1134, effective January 16, 1985, for a maximum of 150 days; amended at 9 Ill. Reg. 1320, effective January 23, 1985; amended at 9 Ill. Reg. 3681, effective March 12, 1985; emergency amendment at 9 Ill. Reg. 4163, effective March 15, 1985, for a maximum of 150 days; emergency amendment at 9 Ill. Reg. 9231, effective May 31, 1985, for a maximum of 150 days; amended at 9 Ill. Reg. 9420, effective June 7, 1985; amended at 9 Ill. Reg. 10663, effective July 1, 1985; emergency amendment at 9 Ill. Reg. 15043, effective September 24, 1985, for a maximum of 150 days; peremptory amendment at 10 Ill. Reg. 3325, effective January 22, 1986; amended at 10 Ill. Reg. 3230, effective January 24, 1986; emergency amendment at 10 Ill. Reg. 8904, effective May 13, 1986, for a maximum of 150 days; peremptory amendment at 10 Ill. Reg. 8928, effective May 13, 1986; emergency amendment at 10 Ill. Reg. 12090, effective June 30, 1986, for a maximum of 150 days; peremptory amendment at 10 Ill. Reg. 13675, effective July 31, 1986; peremptory amendment at 10 Ill. Reg. 14867, effective August 26, 1986; amended at 10 Ill. Reg. 15567, effective September 17, 1986; emergency amendment at 10 Ill. Reg. 17765, effective September 30, 1986, for a maximum of 150 days; peremptory amendment at 10 Ill. Reg. 19132, effective October 28, 1986; peremptory amendment at 10 Ill. Reg. 21097, effective December 9, 1986; amended at 11 Ill. Reg. 648, effective December 22, 1986; peremptory amendment at 11 Ill. Reg.

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PROPOSED AMENDMENTS

3363, effective February 3, 1987; peremptory amendment at 11 Ill. Reg. 4388, effective February 27, 1987; peremptory amendment at 11 Ill. Reg. 6291, effective March 23, 1987; amended at 11 Ill. Reg. 5901, effective March 24, 1987; emergency amendment at 11 Ill. Reg. 8787, effective April 15, 1987, for a maximum of 150 days; emergency amendment at 11 Ill. Reg. 11830, effective July 1, 1987, for a maximum of 150 days; peremptory amendment at 11 Ill. Reg. 13675, effective July 29, 1987; amended at 11 Ill. Reg. 14984, effective August 27, 1987; peremptory amendment at 11 Ill. Reg. 15273, effective September 1, 1987; peremptory amendment 11 Ill. Reg. 17919, effective October 19, 1987; peremptory amendment at 11 Ill. Reg. 19812, effective November 19, 1987; emergency amendment at 11 Ill. Reg. 20684, effective December 4, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. 20778, effective December 11, 1987; peremptory amendment at 12 Ill. Reg. 3811, effective January 27, 1988; peremptory amendment at 12 Ill. Reg. 5459, effective March 3, 1988; amended at 12 Ill. Reg. 6073, effective March 21, 1988; peremptory amendment at 12 Ill. Reg. 7783, effective April 14, 1988; emergency amendment at 12 Ill. Reg. 7734, effective April 15, 1988, for a maximum of 150 days; peremptory amendment at 12 Ill. Reg. 8135, effective April 22, 1988; peremptory amendment at 12 Ill. Reg. 9745, effective May 23, 1988; emergency amendment at 12 Ill. Reg. 11778, effective July 1, 1988, for a maximum of 150 days; emergency amendment at 12 Ill. Reg. 12895, effective July 18, 1988, for a maximum of 150 days; peremptory amendment at 12 Ill. Reg. 13306, effective July 27, 1988; corrected at 12 Ill. Reg. 13359; amended at 12 Ill. Reg. 14630, effective September 6, 1988; amended at 12 Ill. Reg. 20449, effective November 28, 1988; peremptory amendment at 12 Ill. Reg. 20584, effective November 28, 1988; peremptory amendment at 13 Ill. Reg. 8080, effective May 10, 1989; amended at 13 Ill. Reg. 8849, effective May 30, 1989; peremptory amendment at 13 Ill. Reg. 8970, effective May 26, 1989; emergency amendment at 13 Ill. Reg. 10967, effective June 20, 1989, for a maximum of 150 days; emergency amendment expired on November 17, 1989; amended at 13 Ill. Reg. 11451, effective June 28, 1989; emergency amendment at 13 Ill. Reg. 11854, effective July 1, 1989, for a maximum of 150 days; corrected at 13 Ill. Reg. 12647; peremptory amendment at 13 Ill. Reg. 12887, effective July 24, 1989; amended at 13 Ill. Reg. 16950, effective October 20, 1989; amended at 13 Ill. Reg. 19221, effective December 12, 1989; amended at 14 Ill. Reg. 615, effective January 2, 1990; peremptory amendment at 14 Ill. Reg. 1627, effective January 11, 1990; amended at 14 Ill. Reg. 4455, effective March 12, 1990; peremptory amendment at 14 Ill. Reg. 7652, effective May 7, 1990; amended at 14 Ill. Reg. 10002, effective June 11, 1990; emergency amendment at 14 Ill. Reg. 11330, effective June 29, 1990, for a maximum of 150 days; amended at 14 Ill. Reg. 14361, effective August 24, 1990; emergency amendment at 14 Ill. Reg. 15570, effective September 11, 1990, for a maximum of 150 days; emergency amendment expired on February 8, 1991; corrected at 14 Ill. Reg. 16092; peremptory amendment at 14 Ill. Reg. 17098, effective September 26, 1990; amended at 14 Ill. Reg. 17189, effective October 2, 1990; amended at 14 Ill. Reg. 17189, effective October 19, 1990; amended at 14 Ill. Reg. 18719, effective November 13, 1990; peremptory amendment at 14 Ill. Reg. 18854, effective November 13, 1990; peremptory amendment at 15 Ill. Reg. 663, effective January 7, 1991; amended at 15 Ill. Reg. 3296, effective February 14,

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PROPOSED AMENDMENTS

1991; amended at 15 Ill. Reg. 4401, effective March 11, 1991; peremptory amendment at 15 Ill. Reg. 5100, effective March 20, 1991; peremptory amendment at 15 Ill. Reg. 5465, effective April 2, 1991; emergency amendment at 15 Ill. Reg. 10485, effective July 1, 1991, for a maximum of 150 days; amended at 15 Ill. Reg. 11080, effective July 19, 1991; amended at 15 Ill. Reg. 13080, effective August 21, 1991; amended at 15 Ill. Reg. 14210, effective September 23, 1991; emergency amendment at 16 Ill. Reg. 711, effective December 26, 1991, for a maximum of 150 days; amended at 16 Ill. Reg. 3450, effective February 20, 1992; peremptory amendment at 16 Ill. Reg. 5068, effective March 11, 1992; peremptory amendment at 16 Ill. Reg. 7056, effective April 20, 1992; emergency amendment at 16 Ill. Reg. 8239, effective May 19, 1992, for a maximum of 150 days; amended at 16 Ill. Reg. 8382, effective May 26, 1992; emergency amendment at 16 Ill. Reg. 13950, effective August 19, 1992, for a maximum of 150 days; emergency amendment at 16 Ill. Reg. 14452, effective September 4, 1992, for a maximum of 150 days; amended at 17 Ill. Reg. 238, effective December 23, 1992; peremptory amendment at 17 Ill. Reg. 498, effective December 18, 1992; amended at 17 Ill. Reg. 590, effective January 4, 1993; amended at 17 Ill. Reg. 1819, effective February 2, 1993; amended at 17 Ill. Reg. 6441, effective April 8, 1993; emergency amendment at 17 Ill. Reg. 12900, effective July 22, 1993, for a maximum of 150 days; amended at 17 Ill. Reg. 13409, effective July 29, 1993; emergency amendment at 17 Ill. Reg. 13789, effective August 9, 1993, for a maximum of 150 days; emergency amendment at 17 Ill. Reg. 14666, effective August 26, 1993, for a maximum of 150 days; amended at 17 Ill. Reg. 19103, effective October 25, 1993; emergency amendment at 17 Ill. Reg. 21858, effective December 1, 1993, for a maximum of 150 days; amended at 17 Ill. Reg. 22514, effective December 15, 1993; amended at 18 Ill. Reg. 227, effective December 17, 1993; amended at 18 Ill. Reg. 1107, effective January 18, 1994; amended at 18 Ill. Reg. 5146, effective March 21, 1994; peremptory amendment at 18 Ill. Reg. 9562, effective June 13, 1994; emergency amendment at 18 Ill. Reg. 11299, effective July 1, 1994, for a maximum of 150 days; peremptory amendment at 18 Ill. Reg. 13476, effective August 17, 1994; emergency amendment at 18 Ill. Reg. 14417, effective September 9, 1994, for a maximum of 150 days; amended at 18 Ill. Reg. 16545, effective October 31, 1994; peremptory amendment at 18 Ill. Reg. 16708, effective October 28, 1994; amended at 18 Ill. Reg. 17191, effective November 21, 1994; amended at 19 Ill. Reg. 1024, effective January 24, 1995; peremptory amendment at 19 Ill. Reg. 2481, effective February 17, 1995; peremptory amendment at 19 Ill. Reg. 3073, effective February 17, 1995; amended at 19 Ill. Reg. 3456, effective March 7, 1995; peremptory amendment at 19 Ill. Reg. 5145, effective March 14, 1995; amended at 19 Ill. Reg. 6452, effective May 2, 1995; peremptory amendment at 19 Ill. Reg. 6688, effective May 1, 1995; amended at 19 Ill. Reg. 7841, effective June 1, 1995; amended at 19 Ill. Reg. 8156, effective June 12, 1995; amended at 19 Ill. Reg. 9096, effective June 27, 1995; emergency amendment at 19 Ill. Reg. 11954, effective August 1, 1995, for a maximum of 150 days; peremptory amendment at 19 Ill. Reg. 13979, effective September 19, 1995; peremptory amendment at 19 Ill. Reg. 15103, effective October 12, 1995; amended at 19 Ill. Reg. 16160, effective November 28, 1995; amended at 20 Ill. Reg. 308, effective December 22, 1995; emergency amendment at 20 Ill. Reg. 4060, effective February 27,

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PROPOSED AMENDMENTS

1996, for a maximum of 150 days; peremptory amendment at 20 Ill. Reg. 6334, effective April 22, 1996; peremptory amendment at 20 Ill. Reg. 7434, effective May 14, 1996; amended at 20 Ill. Reg. 8301, effective June 11, 1996; amended at 20 Ill. Reg. 8657, effective June 20, 1996; amended at 20 Ill. Reg. 9006, effective June 26, 1996; amended at 20 Ill. Reg. 9925, effective July 10, 1996; emergency amendment at 20 Ill. Reg. 10213, effective July 15, 1996, for a maximum of 150 days; amended at 20 Ill. Reg. 10841, effective August 5, 1996; peremptory amendment at 20 Ill. Reg. 13408, effective September 24, 1996; amended at 20 Ill. Reg. 15018, effective November 7, 1996; peremptory amendment at 20 Ill. Reg. 15092, effective November 7, 1996; emergency amendment at 21 Ill. Reg. 1023, effective January 6, 1997, for a maximum of 150 days; amended at 21 Ill. Reg. 1629, effective January 22, 1997; amended at 21 Ill. Reg. 5144, effective April 15, 1997; amended at 21 Ill. Reg. 6444, effective May 15, 1997; amended at 21 Ill. Reg. 7118, effective June 3, 1997; emergency amendment at 21 Ill. Reg. 10061, effective July 21, 1997, for a maximum of 150 days; emergency amendment at 21 Ill. Reg. 12859, effective September 8, 1997, for a maximum of 150 days; peremptory amendment at 21 Ill. Reg. 14267, effective October 14, 1997; peremptory amendment at 21 Ill. Reg. 14589, effective October 15, 1997; amended at 22 Ill. Reg. _____, effective _____.

Section 310.230 Part-Time Daily or Hourly Special Services Rate

The rate of pay as approved by the Director of Central Management Services for persons employed on a consultative or part-time basis requiring irregular hours of work shall be as listed below, except the total compensation of an employee in any given month shall not exceed the monthly rate of Step 5 of the salary grade for the title as shown in the Schedule of Salary Grades (Appendix B) of this Part if the class title is subject to the Schedule of Salary Grades, or Step 5 of the negotiated salary range for classes of positions shown in Section 310.220, Subpart B, Schedule of Rates, or 75% of the maximum rate of those classes of positions subject to the provisions of the Merit Compensation System, Subpart C of this Pay Plan.

Account Technician II	11.00 to 14.08 (hourly)
Apiary Inspector	83 to 106 (daily)
Building/Grounds Laborer	8.28 to 10.15 (hourly)
Building/Grounds Lead I	5.154-75 to 6.00 (hourly)
Building/Grounds Lead II	5.154-75 to 7.00 (hourly)
Building/Grounds Maintenance Worker	5.25 to 8.00 (hourly)
Chaplain I	5.155-88 to 6.00 (hourly)
Chemist I	3936 to 70 (daily)
Conservation/Historic Preservation Worker	3936 to 45 (daily)
Conservation/Historic Preservation Worker (2nd season -- site interpretation)	5.154-75 to 6.50 (hourly)
Conservation/Historic Preservation Worker (2nd season -- site interpretation)	5.154-75 to 6.50 (hourly)

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Worker (3rd season -- site interpretation)	5.154-78 to 6.50 (hourly)
Dentist I	70 to 150 (daily)
Dentist II	100 to 185 (daily)
Educator	3936 to 85 (daily)
Educator Aide	3936 (daily)
Guard II	67 to 84 (daily)
Guard III	75 to 96 (daily)
Hearing and Speech Advanced Specialist	15 to 30 (hourly)
Hearings Referee	75 to 200 (daily)
Janitor I	5.154-75 to 5.30 (hourly)
Labor Maintenance Lead Worker	5.155-88 to 6.00 (hourly)
Labor Relations Investigator	3936 to 70 (daily)
Laborer (Maintenance)	5.154-75 to 5.70 (hourly)
Maintenance Worker	5.154-75 to 5.00 (hourly)
Occupational Therapist	40 to 160 (daily)
Program Coordinator	8.12 to 10.71 (hourly)
Office Aide	60 to 80 (daily)
Office Assistant	9.16 to 12.36 (hourly)
Office Associate	68 to 93 (daily)
Office Clerk	9.80 to 13.44 (hourly)
Optometrist	73 to 101 (daily)
Physician	8.58 to 11.49 (hourly)
Physician Specialist (A)	64 to 86 (daily)
Physician Specialist (B)	15 to 35 (hourly)
Physician Specialist (C)	50 to 160 (daily)
Physician Specialist (D)	100 to 300 (daily)
Podiatrist	20 to 60 (hourly)
Psychologist I	100 to 325 (daily)
Psychologist II	20 to 70 (hourly)
Psychologist III	100 to 350 (daily)
Recreation Worker I	20 to 75 (hourly)
Registered Nurse I	100 to 360 (daily)
Registered Nurse I (2nd or 3rd shift)	20 to 115 (hourly)
Registered Nurse I (Cook County)	100 to 370 (daily)
Registered Nurse I (Cook County) -	50 to 125 (daily)
	3936 to 80 (daily)
	40 to 125 (daily)
	40 to 150 (daily)
	5.33 (hourly)
	36- to 40 to 45 (daily)
	39 to 54 (daily)
	41 to 56 (daily)
	43 to 58 (daily)
	44 to 59 (daily)

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2nd or 3rd shift)
 Registered Nurse II 43 to 58 (daily)
 Registered Nurse II 44 to 59 (daily)
 (2nd or 3rd shift)
 Registered Nurse II (Cook County) 45 to 60 (daily)
 Registered Nurse II (Cook County - 47 to 62 (daily)
 2nd or 3rd shift)
 Revenue Tax Specialist I 11.56 to 16.16 (hourly)
 86 to 122 (daily)
 Social Worker II 3936 to 75 (daily)
 Social Worker III 3936 to 80 (daily)
 Student Worker 4.75 to 8.00 (hourly)
 Technical Advisor II 32 to 35 (hourly)
 Technical Advisor III 32 to 60 (hourly)
 Veterinarian II 95 to 130 (daily)

(Source: Amended at 22 Ill. Reg. _____, effective _____)

Section 310.270 Legislated and Contracted Rate

The rate of pay for employees occupying positions which require payment in accordance with specified rates set forth in legislation or by contract. The positions and rates of pay in this Section are as follows:

Arbitrator

Annual Salary
 81,509
 79,999

When an Arbitrator is serving as an acting Commissioner of the Illinois Industrial Commission, the appropriate rate will be the same as the rate set for a Commissioner.

(Source: Amended at 22 Ill. Reg. _____, effective _____)

Section 310.280 Designated Rate

The rate of pay for a specific position or class of positions where it is deemed desirable to exclude such from the other requirements of this Pay Plan shall be only as designated by the Governor.

Department-of-Children-&-Family-Services

Private-Secretary-II
 (Pos.-No.-34202-16-00-000-03-30)
 Annual-Salary
 43,452

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Department of Commerce & Community Affairs

Economic Development Representative II
 (Pos. No. 12932-42-35-110-10-02)
 (Pos.-No.-12932-42-35-140-30-01)
 Annual Salary
 51,912

Private Secretary II
 Pos. No. 34202-42-00-000-01-02)
 Annual Salary
 43,164

Public Information Officer IV
 (Pos.-No.-34004-42-00-003-10-01)
 (Pos. No. 37004-42-00-005-10-01)
 Annual Salary
 56,184

Public Service Administrator
 (Pos. No. 37015-42-35-140-20-01)
 Annual Salary
 69,528657592

Illinois Industrial Commission

Private Secretary II
 (Pos. No. 34202-50-37-000-00-01)
 Annual Salary
 48,852

Department of Insurance

Senior Public Service Administrator
 (Pos. No. 40070-14-00-000-00-06)
 Annual Salary
 97,100

Department-of-Mental-Health-and-Developmental-Disabilities
 Department of Human Services

Medical Administrator I, Option D
 (Pos. No. 26401-10-79-006-00-21)
 Annual Salary
 142,368

Medical Administrator I, Option D
 (Pos. No. 26401-10-81-903-10-22)
 (Pos.-No.-26401-22-59-903-10-02)
 Annual Salary
 131,250

Medical-Administrator-II, Option-B
 (Pos.-No.-26403-22-66-269-00-01)
 Annual-Salary
 142,000

Private-Secretary-II
 (Pos.-No.-34202-22-15-000-00-01)
 Annual-Salary
 41,004

Senior Public Service Administrator
 (Pos. No. 40070-10-81-920-00-21)
 Annual Salary
 105,480

Department of Natural Resources

Administrative Assistant II
 Annual Salary

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

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{Pos. No. 00502-12-30-000-20-01}

50,520

Department-of-RevenuePublic-Service-Administrator

{Pos. No. 37015-25-12-000-00-01}

Annual-Salary
69,744

Department of State PoliceSenior Public Service Administrator

{Pos. No. 40070-21-10-000-00-01}

Annual Salary
99,214
85,153

(Source: Amended at 22 Ill. Reg. _____, effective _____)

STATE BOARD OF ELECTIONS

NOTICE OF PROPOSED AMENDMENTS

1) Heading of the Part: The Campaign Financing Act

2) Code Citation: 26 Ill. Adm. Code 100

3) Sections Numbers: 100.50
Proposed Action:
Amend

4) Statutory Authority: Implements Section 9-3 of the Illinois Election Code and authorized by Section 9-15(3) of the Illinois Election Code [10 ILCS 5/9-3 and 9-15(3)].

5) A Complete Description of the Subjects and Issues Involved: Makes explicit that the five identification requirements for campaign committees organized within the 30 days prior to any election applies to all committees, and not merely to those formed for the purpose of supporting or opposing any candidate or issue at the immediately succeeding election.

6) Will this proposed rule replace an emergency rule currently in effect? No

7) Does the rulemaking contain an automatic repeal date? No

8) Do these proposed amendments contain incorporations by reference? No

9) Are there any other proposed amendments pending on this Part? Yes

Section Numbers Proposed Action Illinois Register Citation
100.10 Amended October 17, 1997 21 Ill. Reg. 13701

10) Statement of Statewide Policy Objectives: To insure compliance with amendments to Section 9-3 of the Election Code by all newly-formed campaign committees, and not only by those expressly formed for the purpose of supporting or opposing candidates or issues at the next election after formation.

11) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: Interested persons may present their comments concerning this proposed rulemaking in writing within 45 days after publication of this notice to:

State Board of Elections
A. L. Zimmer, General Counsel
James R. Thompson Center
100 West Randolph Street
Suite 14-100
Chicago, IL 60601
312/814-6477

or at a Public Hearing to be held on November 10, 1997 at the State Board

STATE BOARD OF ELECTIONS

NOTICE OF PROPOSED AMENDMENTS

of Elections' permanent branch office in the James R. Thompson Center, 100 W. Randolph Street, Chicago, Illinois, and on November 17, 1997 at the State Board of Elections' principal office located at 1020 S. Spring Street, Springfield, Illinois. Please contact the Board's offices for verification of hearing time, room and date.

12) Initial Regulatory Flexibility Analysis:

- A) Types of Small businesses affected: None
- B) Reporting, bookkeeping or other procedures required for compliance:
None
- C) Types of professional skills necessary for compliance: None

- 13) Regulatory Agenda on Which this Rule was Summarized: This amendment has not been included on any rulemaking agenda because: the amendment to the statute occurred after the date for submission of the most recent regulatory agenda.

The full text of the Proposed Amendments begins on the next page.

STATE BOARD OF ELECTIONS

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TITLE 26: ELECTIONS
CHAPTER I: STATE BOARD OF ELECTIONSPART 100
THE CAMPAIGN FINANCING ACT

Section	
100.10	Definitions
100.20	Official Forms
100.30	Forwarding of Documents (Repealed)
100.40	Vacancies in Office - Custody of Records
100.50	Multiple Filings by State and Local Committees
100.60	Filing Option for a Federal Political Committee
100.70	Reports of Contributions and Expenditures
100.80	Report Forms
100.90	Provision Circumvention
100.100	Proof of Identification; Application for Inspection and Copying
100.110	Loans by One Political Committee to Another
100.120	Receipt of Campaign Contributions

AUTHORITY: Implementing Article 9 of the Election Code [10 ILCS 5/Art. 9] and authorized by Section 9-15(3) of the Election Code [10 ILCS 5/9-15(3)].

SOURCE: Amended at 5 Ill. Reg. 1337, effective January 30, 1981; amended at 5 Ill. Reg. 12115, effective October 26, 1981; codified at 6 Ill. Reg. 7211; amended at 7 Ill. Reg. 225, effective December 16, 1982; amended at 14 Ill. Reg. 10824, effective June 22, 1990; amended at 16 Ill. Reg. 6982, effective April 21, 1992; amended at 18 Ill. Reg. 14707, effective September 9, 1994; amended at 21 Ill. Reg. 10044, effective July 21, 1997; amended at 22 Ill. Reg. _____, effective _____.

Section 100.50 Multiple Filings by State and Local Committees

- a) Reference: This Part part interprets or applies Sections 9-3 and 9-10 of the Election Code.
- b) A political committee that acts as both a state political committee and local political committee shall file each original Statement of Organization, Form D-1, and any other appropriate reports with the State Board of Elections, and shall file a copy of each and any other appropriate reports with the county clerk.
- c) Any state committee that elects to support or oppose any local candidate or a question of public policy and exceeds an aggregate amount of \$1,000 for local candidates or a question of public policy shall file an amended Statement of Organization, Form D-1, indicating that they are now a state and local committee and shall comply with all local filing requirements. In the event the state and local committee ceases to support local candidates, they shall file an amended D-1 indicating that they are now a state political committee

STATE BOARD OF ELECTIONS

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- and shall submit a letter to the county clerk informing him that they will no longer be active in that county.
- d) Any local committee that elects to support or oppose any state candidate or a question of public policy and exceeds an aggregate amount of \$1,000 for state candidates or \$3,000 for a question of public policy shall file an amended Statement of Organization, Form D-1, indicating that they are now a state and local committee and shall comply with all State ~~state~~ filing requirements. In the event the state and local committee ceases to support state candidates, they shall file an amended D-1 indicating that they are now a local political committee and shall submit a letter to the State Board of Elections informing them that they will no longer be active statewide.
- e) A political committee that is organized within the 30 days immediately prior to any election shall file its D-1 not later than 5 days after its organization, irrespective of whether the committee is organized for the purpose of supporting or opposing candidates or issues on the ballot at that same election.

(Source: Amended at 22 Ill. Reg. _____, effective _____)

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- 1) Heading of the Part: Board and Care Homes Registration
- 2) Code Citation: 89 Ill. Adm. Code 290
- 3) Section Numbers: Adopted Action:
 290.100 New Section
 290.105 New Section
 290.200 New Section
 290.205 New Section
 290.210 New Section
 290.215 New Section
 290.220 New Section
 290.300 New Section
 290.305 New Section
 290.400 New Section
 290.405 New Section

- 4) Statutory Authority: 225 ILCS 7; 20 ILCS 105/4.01(11), 4.04(c) and 5.02

- 5) Effective Date of the Rules: November 1, 1997

- 6) Does this rulemaking contain an automatic repeal date? No

- 7) Does this amendment contain incorporations by reference? No

- 8) Date Filed in Agency's Principal Office: October 30, 1997

- 9) Notice of Proposal Published in Illinois Register:

June 6, 1997 21 Ill. Reg. 6634

- 10) Has JCAR issued a Statement of Objections to this amendment(s)? No

- 11) Difference(s) between proposal and final version: The following substantive changes were made to this rulemaking in response to comments received during the first notice or public comment period and as a result of staff comment. There were additional minor editing changes made to the rulemaking.

The Department replaced the term "facility/facilities" with "home/homes", throughout the rulemaking. This change was also reflected in the title of part 290. The only exception was to correctly cite an unlicensed nursing home "facility".

Section 290.105

Revised and/or added definitions to read as follows:

"Manager" means the person who, under the authority vested in

DEPARTMENT OF AGING

NOTICE OF ADOPTED RULES

him or her by the owner, exercises a general authority over, and is held responsible by the owner for, the physical plant, staffing, residential affairs and daily operations of the board and care home.

'Protective oversight' means reasonable measures (may include adequate insurance, security systems, availability of lock boxes and similar actions taken by the owner to protect its residents and their property) by the board and care home to provide security for the board and care home, the residents of the board and care home, and the possessions of the residents.

'Related' means having a relationship by blood or marriage."

Section 290.200

Revised to read as follows:

- d) The board and care home shall, within 45 days, file with the Department any changes, revisions, or additions to the information on the registry, concerning subsections(b)(1) through (5) of this Section. Any changes to information relating to subsections (b)(6) through (14) of this Section shall be reported to the Department within 30 days after the first anniversary of the date of filing of the current application."

Section 290.210

Revised to read as follows:

- "d) that the owners, managers and staff of the board and care home will permit access to residents of the board and care home, to personnel of the Department, and to its designated agents, for the purposes of investigating and evaluating the quality of life in the board and care home, including access to relevant records of, or concerning the, resident; determining whether the board and care home should be reported to the Illinois Department of Public Health as an unlicensed nursing home facility; and investigating, evaluating and doing casework follow up in cases of alleged, suspected or substantiated elder abuse, neglect or financial exploitation;"

Section 290.300

Revised to add the following:

- "c) Persons believing that a board and care home is not registered under this Part may make such report to the Department."

Section 290.305

Subsection (b) has been revised by correcting citations, to include the addition of a new subsection (d) to reflect the January 1, 1998 effective date of the identified citations.

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Section 290.305

Revised to add the following:

- "c) The Department shall provide the right to appeal determinations of a refusal or suspension of registration in accordance with Departmental appeal procedures."

Section 290.400

Revised to add the following:

- "Such registry, when publicly distributed, shall include an express statement to the effect that inclusion on the registry by any board and care home does not constitute an endorsement of the board and care home, nor any specific guarantee as to its quality, by the Department."

- 12) Have all changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes

- 13) Will this amendment replace an emergency amendment currently in effect? No

- 14) Are there any proposed amendments pending on this Part? No

- 15) Summary and Purpose of Amendment(s): The Department is adopting an entirely new Part, Part 290 Board and Care Homes Registration. This Part establishes a system of registration and assurances that board and care homes are to file with the Illinois Department on Aging. The Department will maintain a board and care homes registry.

- 16) Information and questions regarding this adopted amendment shall be directed to:

Ms. Pamela W. Balmer, Assistant
Office of General Counsel
Illinois Department on Aging
421 East Capitol Avenue #100
Springfield, Illinois 62701-1789
(217) 785-3346

The full text of the Adopted Rules begins on the next page.

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Section 290.105 Definitions

"Board and care home" means a publicly or privately operated residence which is providing room, housekeeping and meals to fewer than 12 persons who are unrelated to the owners and the managers of the residence.

"Department" means the Illinois Department on Aging.

"Independent self-care" means a level of functioning in which the resident does not require assistance for eating, medicating, moving, dressing or bathing.

"Manager" means the person who, under the authority vested in him or her by the owner, exercises a general authority over, and is held responsible by the owner for, the physical plant, staffing, residential affairs and daily operations of the board and care home.

"Other types of assistance" means laundry, transportation and recreational services, but cannot include the provision of personal care. (See Section 1-120 of the Nursing Home Care Act [210 ILCS 45/1-120].)

"Owner" means the person, business, entity, organization or corporation holding legal title to the board and care home.

"Protective oversight" means reasonable measures (may include adequate insurance, security systems, availability of lock boxes and similar actions taken by the home to protect its residents and their property) by the board and care home to provide security for the board and care home, the residents of the board and care home, and the possessions of the residents.

"Registry" means the list of board and care homes in the State created and maintained by the Illinois Department on Aging.

"Related" means having a relationship by blood or marriage.

"Resident" means a person who is residing in a board and care home.

SUBPART B: PROCESS OF REGISTRATION

Section 290.200 Registration

- a) Each board and care home in the State shall register with the Department on a form prescribed by the Department.
- b) The application for registration shall include, but not be limited to, the following information:

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TITLE 89: SOCIAL SERVICES
CHAPTER II: DEPARTMENT ON AGING

PART 290
BOARD AND CARE HOMES REGISTRATION

SUBPART A: INTRODUCTION

Section
290.100 Board and Care Homes Registration
290.105 Definitions

SUBPART B: PROCESS OF REGISTRATION

Section
290.200 Registration
290.205 Fee
290.210 Assurances
290.215 Posting of Assurances
290.220 Renewal of Registration

SUBPART C: REFUSAL, SUSPENSION AND BACKGROUND CHECKS

Section
290.300 Refusal or Suspension of Registration
290.305 Criminal Background Checks

SUBPART D: THE REGISTRY

Section
290.400 Registry Publication
290.405 Advertising

AUTHORITY: Implementing Section 3 of the Board and Care Home Registration Act [225 ILCS 7] and authorized by Sections 4.01(11) and 4.04(c) of the Illinois Act on the Aging [20 ILCS 105/4.01(11) and 4.04(c)] (see also Public Act 89-387, effective August 20, 1995).

SOURCE: Adopted at 21 Ill. Reg. _____, effective _____.

SUBPART A: INTRODUCTION

Section 290.100 Board and Care Homes Registration

This Part describes the responsibilities of the Department in the registration of board and care homes in the State.

DEPARTMENT OF AGING

NOTICE OF ADOPTED RULES

- 1) the name of the board and care home;
 - 2) the address of the board and care home;
 - 3) the phone number of the board and care home;
 - 4) the name and address of the person, business, entity, organization, or corporation that owns the board and care home;
 - 5) the name and address of the person, business, entity, organization, or corporation serving as the manager of the board and care home, if different from the owner;
 - 6) the maximum number of residents that the board and care home is capable of housing;
 - 7) the actual number of residents at the time of registration;
 - 8) the average number of residents during the 12 months prior to the date of registration;
 - 9) the full time equivalent number of staff members serving the residents of the board and care home at the time of registration;
 - 10) the average full time equivalent number of staff members during the 12 months prior to the date of registration;
 - 11) the name of the residents' elected representative or the presiding officer of the residents' council, if any, at the time of registration;
 - 12) the price schedule of the board and care home, including all charges in addition to basic room and board;
 - 13) the name and address of at least one individual who shall be responsible for receiving from the Department all communications and notices pursuant to, or required by, this Part; and
 - 14) waivers of confidentiality executed by the owners and managers of the board and care home. (See Section 290.220(a) of this Part.)
- c) The board and care home shall attach copies of the following to the application for registration:
- 1) any brochures distributed to the public or to prospective residents or their families by the board and care home;
 - 2) a copy of the admission agreement; and
 - 3) a copy of the resident's rights brochure distributed to the residents upon admission.
- d) The board and care home shall, within 45 days, file with the Department any changes, revisions, or additions to the information on the registry, concerning subsections (b)(1) through (5) of this Section. Any changes to information relating to subsections (b)(6) through (14) of this Section shall be reported to the Department within 30 days after the first anniversary of the date of filing of the current application.

Section 290.205 Fee

The application fee for registration, which shall accompany the application for registration, shall be \$100.

Section 290.210 Assurances

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The application for registration shall include assurances, which shall be signed by the owners or managers, or a responsible officer of the entity, organization or corporation owning or managing the board and care home, which shall provide:

- a) that the board and care home shall comply with all applicable federal, State and local statutes, laws, ordinances, codes, regulations or rules, including all applicable fire, safety, health, and zoning codes;
- b) that the owners, managers and staff of the board and care home will protect the rights and safety of the residents of that board and care home;
- c) that the owners and managers of the board and care home understand that registration under this Part does not otherwise exempt the board and care home from the applicability of the Nursing Home Care Act [210 ILCS 45];
- d) that the owners, managers and staff of the board and care home will permit access to residents of the board and care home to personnel of the Department, and to its designated agents, for the purposes of investigating and evaluating the quality of life in the board and care home, including access to relevant records of, or concerning the, resident; determining whether the board and care home should be reported to the Illinois Department of Public Health as an unlicensed nursing home facility; and investigating, evaluating and doing casework follow up in cases of alleged, suspected or substantiated elder abuse, neglect or financial exploitation;
- e) that each resident in the board and care home is capable of independent self-care;
- f) that every resident will be provided, at the time of the board and care home's initial registration with the Department and subsequently upon admission, a brochure describing the rights of the resident and the procedures of the board and care home to enforce and protect those rights;
- g) that every resident will be notified, at the time of the board and care home's initial registration with the Department, or subsequently upon admission, that the board and care home is a registered board and care home with the Department, and that such registration does not indicate that the board and care home is licensed under the Nursing Home Care Act; and
- h) that neither the owners nor the managers of the board and care home have been convicted of committing or attempting to commit any of the offenses listed under Section 290.305(b) and (d) of this Part.

Section 290.215 Posting of Assurances

Each board and care home shall post, in a public place within the board and care home and visible to the residents, a copy of the assurances given the Department.

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Section 290.220 Renewal of Registration

- a) The registration shall be valid for a period of two years.
- b) Not more than 60 days, nor fewer than 25 days, prior to the date of expiration of registration, the Department shall mail a notice of expiration of registration to the person designated pursuant to Section 290.200(b)(13) of this Part for purposes of receiving communications from the Department.

SUBPART C: REFUSAL, SUSPENSION AND BACKGROUND CHECKS**Section 290.300 Refusal or Suspension of Registration**

- a) The Department reserves the right to delay the registration of any board and care home based on a pending investigation or action against such board and care home by the Department of Public Health, the Department of Public Aid, the Department's Elder Abuse and Neglect Program, the Attorney General or a State's Attorney. The Department will notify the board and care home of such delay and the reason therefor. Upon the resolution of such investigation or action, the Department may suspend or refuse the registration of such board and care home, if:
 - 1) a violation has been found as a result of the investigation or action; and
 - 2) such violation would seriously impair, endanger or violate the rights, health, welfare or safety of one or more residents.
- b) The Department may restore the registration or accept the application for registration of a board and care home upon notification by the appropriate Department, the Attorney General or a State's Attorney that the board and care home has taken appropriate corrective or remedial measures and is now in substantial compliance with the applicable standard, rule, ordinance or law.
- c) Persons believing that a board and care home is not registered under this Part may make such report to the Department.

Section 290.305 Criminal Background Checks

- a) The Department will make appropriate arrangements with the Illinois State Police and other law enforcement agencies to conduct random criminal background checks on the owners and managers of board and care homes. The ratio of applications for registration checked will be determined by the Department based on the availability of funds generated by the application fee. Each application for registration will include the appropriate waivers of confidentiality to be signed by the owners and managers of the board and care home.
- b) The Department shall refuse or suspend the registration of any board and care home in which the owners or managers have been convicted of committing or attempting to commit one or more of the offenses defined

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in Sections 9-1, 9-1.2, 9-2, 9-2.1, 9-3, 9-3.1, 9-3.2, 9-3.3, 10-1, 10-2, 10-3, 10-3.1, 10-4, 10-5, 10-7, 12-1, 12-2, 12-3, 12-3.1, 12-3.2, 12-4, 12-4.2, 12-4.3, 12-4.4, 12-4.6, 12-4.7, 12-13, 12-14, 12-14.1, 12-15, 12-16, 12-19, 12-21, 16-1, 16-1.3, 16A-3, 18-1, 18-2, 19-1, 19-3, 19-4, 20-1, 20-1.1, 24-1, or 24-1.2 of the Criminal Code of 1961 [720 ILCS 5]; those defined in Sections 5, 5.1 or 9 of the Cannabis Control Act [720 ILCS 550]; or those defined in Sections 401, 401.1, 404, 405, 405.1, 407, 407.1 of the Illinois Controlled Substances Act [720 ILCS 570].

- c) The Department shall provide a right to appeal determinations of a refusal or suspension of registration in accordance with Departmental appeal procedures.
- d) In addition to the offenses set out in subsection (b) of this Section, effective January 1, 1998, the Department shall refuse or suspend the registration of any board and care home in which the owners or managers have been convicted of committing or attempting to commit one or more of the offenses defined in Sections 8-1.1, 8-1.2, 11-6, 11-9.1, 11-9.2, 11-20.1, 12-4.1, 12-4.5, 12-7.4, 12-11, 12-21.6, 12-32, 12-33, 17-3, 18-3, 18-4, 18-5, 24-1.5, 33A-2 of the Criminal Code of 1961; those defined in Sections 5.2 and 7 of the Cannabis Control Act; and those provided in Section 4 of the Wrongs to Children Act [720 ILCS 150].

SUBPART D: THE REGISTRY**Section 290.400 Registry Publication**

The Department may compile, publish and distribute a registry of board and care homes. Such registry, when publicly distributed, shall include an express statement to the effect that inclusion on the registry by any board and care home does not constitute an endorsement of the board and care home, nor any specific guarantee as to its quality, by the Department.

Section 290.405 Advertising

Board and care homes that are registered with the Department may advertise to the public that the board and care home is a "registered board and care board and care home" but, if so, must also state that such registration does not imply licensing under, or compliance with, the Nursing Home Care Act [210 ILCS 45].

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

NOTICE OF ADOPTED AMENDMENTS

- 1) Heading of the Part: Client Service Planning
- 2) Code Citation: 89 Ill. Adm. Code 305
- 3) Section Numbers: Adopted Action:
305.50 Amend
- 4) Statutory Authority: 20 ILCS 505
- 5) Effective Date of Amendments: November 1, 1997
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Do these amendments contain incorporations by reference? No
- 8) Date filed in Agency's Principle Office: November 1, 1997
- 9) Notice of proposal published in Illinois Register: June 20, 1997
- 10) Has JCAR issued a Statement of Objections to these rule(s)? No
- 11) Difference between proposal and final version: Other than editing and formatting changes recommended by the Joint Committee on Administrative Rules, no other changes were made.
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR: Yes
- 13) Will these amendments replace an emergency rule currently in effect? No
- 14) Are there any proposed amendments to this Part pending? No

15) Summary and Purpose of These Adopted Amendments: These amendments add several Federal requirements to Section 305.50 which describes the contents of the service plan. Section 475(5)(A) of the Social Security Act requires that the case plan for a child placed in a foster family home or child care institution a substantial distance from the home of either parent, or in a different State set forth the reasons why the placement is in the best interests of the child. The same Section requires that for children placed in another State, a caseworker must visit the foster home or institution no less frequently than every 12 months and submit a report on the visit to the State agency of the State where the home of the child's custodial parent is located.

Section 305.50(c)(7) is amended to require that the initial service plan be submitted to the Juvenile Court within 45 days rather than 30 days [705 ILCS 405/2-10] and that a copy of the most current revised service plan be submitted to the Juvenile Court at least 14 days in advance of the next

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- permanency hearing [705 ILCS 405/2-28].
- 16) Information and questions regarding these adopted amendments shall be directed to:

Jerry B. Crabtree
Office of Rules and Procedures
Department of Children and Family Services
406 East Monroe, Station # 65
Springfield, Illinois 62701-1498
(217) 524-1983
(217) 524-3715

The full text of the adopted amendments begin on the next page.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

NOTICE OF ADOPTED AMENDMENTS

TITLE 89: SOCIAL SERVICES

CHAPTER III: DEPARTMENT OF CHILDREN AND FAMILY SERVICES

SUBCHAPTER a: SERVICE DELIVERY

PART 305

CLIENT SERVICE PLANNING

Section	Purpose
305.10	Definitions
305.20	Introduction to Client Service Planning
305.30	Types of Permanency Goals and Alternative Permanency Options
305.40	Service Plan
305.50	Case Review System
305.60	Roles and Responsibilities of the Administrative Case Reviewer
305.70	Decision Review
305.80	Parent-Child Visitation (Repealed)
305.90	Evaluating Whether Children in Placement Should Be Returned Home
305.100	Termination of Parental Rights
305.110	Planning for the Termination of Services
305.120	The Department's Role in the Juvenile Court
305.130	Compliance with the Client Service Planning Requirements

AUTHORITY: Implementing and authorized by Section 5 of the Children and Family Services Act [20 ILCS 505/5], Section 7.1 of the Abused and Neglected Child Reporting Act [325 ILCS 5/7.1], the Adoption Assistance and Child Welfare Act of 1980, amending Section 475 of the Social Security Act (42 U.S.C. 675 (1991)), Section 2-5 of the Juvenile Court Act of 1987 [705 ILCS 405/2-5], and the Adoption Act [750 ILCS 50].

SOURCE: Adopted and codified at 5 Ill. Reg. 14456, effective December 29, 1981; amended at 8 Ill. Reg. 21570, effective November 1, 1984; amended at 9 Ill. Reg. 7920, effective May 31, 1985; recodified at 16 Ill. Reg. 12772; amended at 16 Ill. Reg. 16552, effective October 19, 1992; amended at 18 Ill. Reg. 17200, effective December 1, 1994; amended at 19 Ill. Reg. 7171, effective June 1, 1995; amended at 19 Ill. Reg. 10487, effective July 1, 1995; amended at 20 Ill. Reg. 9030, effective July 5, 1996; amended at 21 Ill. Reg. 6193, effective May 15, 1997; amended at 21 Ill. Reg. _____, effective _____.

Section 305.50 Service Plan

- a) Purpose of the Service Plan
The service plan is a written plan which is established between the Department, the purchase of service providers, and, if possible, the children and family served. Service plans approved by the Department are required regardless of whether the children ~~child~~ and family are served directly by the Department or through purchase of service

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providers. The initial service plan shall be completed within 30 days after of case opening and at least once every six months thereafter. The service plan shall be changed and updated as the child and family's situation changes and shall be reviewed regularly as specified in Section 305.60.

b) Contents of the Service Plan

Service plans shall contain the following information:

- 1) the names of the children for whom the Department is legally responsible and/or or to whom the Department is providing services;
- 2) the problems that threaten family stability or could lead to placement of the children away from the family home or have resulted in placement of the children away from the family home and an identification of any problems that are causing continued placement of the children away from the home;
- 3) what outcomes would be considered a resolution to these problems;
- 4) the services to be provided to the parents, the children while in care and the foster parents (if necessary when children are placed in foster care), that may best resolve these problems;
- 5) a description of a child's physical, developmental, educational or mental disability and any non-educational specialized services the child is receiving or should receive for each disability. If an Individual Treatment Plan (ITP) or Rehabilitative Services Plan exists for a child, it shall be included in the record;
- 6) a description of the educational program/services the child is receiving or needs to receive (including information regarding Early Intervention, Headstart, or Pre-kindergarten services for preschool children). If an Individualized Education Plan (IEP) or an Individualized Family Service Plan (IFSP) exists for a child, the IEP or IFSP shall be included in the record;
- 7) who will provide the services, how often they will be provided, and an explanation of why these services will meet the needs of the child;
- 8) if children are placed out of the parents' home, the reasons for the out of home placement and an explanation of why that placement setting was chosen;
- 9) if children placed out of the parent's home are placed a substantial distance (more than 150 miles) from the home of the parents or in a different state (in compliance with 89 Ill. Adm. Code 328, Interstate Placement of Children), the reasons why the placement is in the best interests of the children;
- 10) if children placed out of the parent's home are placed in a different state, a requirement that the child be visited periodically, but not less frequently than every 12 months, by a caseworker of the Department or of the state in which the child has been placed, and that the caseworker submit a report on the visit to the Department;
- 9) 11) if siblings are placed apart from one another, the reason why

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they are placed apart and what efforts are being made to find a joint placement for the sibling group;

#712] the permanency goal for each child;

#713] the responsibilities of the family and the child (when appropriate) in fulfilling the service plan;

#714] the responsibilities of the Department and purchase of service providers, if any, in fulfilling the service plan;

#715] when children and families are separated, the parent-child visitation plan, if visitation is not prohibited by court order.

This plan shall include the time and place of visits, the frequency of visits, the length of visits, and who shall be present at the visits;

#716] the timeframes for achieving the permanency goal and the objectives to resolve identified problems and the specification of any consequences to the child and family if the time frames are not met;

#717] a statement that the parents or children may disagree with the service plan and that they may have their disagreement recorded; and

#718] an explanation of how parents or children may request an appeal and fair hearing.

c) Copies of the Service Plan

Copies of the service plan shall be distributed in accordance with the Department's rules on confidentiality (89 Ill. Adm. Code 431, Confidentiality of Personal Information of Persons Served by the Department) to:

- 1) the parents (unless parental rights have been terminated or the Department has filed a petition seeking the termination of parental rights);
- 2) the putative father, if he is participating in planning for the child;
- 3) the purchase of service providers, including the foster parents or relative home caretakers. Foster parents or relative home caretakers will receive copies of the child's portion of the service plan and will receive other portions of the plan when they have successfully completed training prescribed by the Department. Such training will consist of topics related to the service planning and review process, including an overview of the participants, positive communication, especially in confrontational situations, confidentiality requirements and limitations, preparation for visits and reunification;
- 4) the child invited to the case review;
- 5) appropriate Department staff;
- 6) the guardian ad litem and legal representative of the child; and
- 7) the Juvenile Court when the court has jurisdiction. The initial service plan must be submitted to the court within 45 90 days after a child's placement. The most current revised service plan prepared within the prior six months must be submitted to the

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court at least 14 days in advance of the next permanency hearing as required by Section 2-28 of the Juvenile Court Act of 1987 [705 ILCS 405/2-28].

d) Revising the Service Plan

The service plan shall be revised:

- 1) if the current permanency goal is no longer appropriate;
- 2) if the current service plan does not address the child's needs;
- 3) within six months of establishing the original service plan;
- 4) at least every six months thereafter.

(Source: Amended at 21 Ill. Reg. _____, effective _____)

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NOTICE OF EMERGENCY AMENDMENTS

- 1) Heading of the Part: Lead Poisoning Prevention Code
- 2) Code Citation: 77 Ill. Adm. Code 845
- 3) Section Numbers: Emergency Action:
845.28 Amendment
- 4) Statutory Authority: Authorized by and implementing the Lead Poisoning Prevention Act [410 ILCS 45].
- 5) Effective Date of Emergency Rules: October 31, 1997
- 6) If this Emergency Rule is to Expire Before the End of the 150-Day Period, Please Specify the Date on Which it is to Expire: Not Applicable
- 7) Date Filed in Agency's Principal Office: October 31, 1997
- 8) Reason for Emergency: This rulemaking will provide an additional period of time for individuals who are currently working in the lead service industry to qualify for licensure as a lead risk assessor, prior to implementation by the Department of new federal guidelines for education and experience.
- 9) A Complete Description of the Subjects and Issues Involved: This rulemaking allows persons who are currently licensed as lead inspectors in Illinois to qualify for a risk assessor license, provided they apply before April 1, 1998. Also persons who have passed both a lead inspector training course and a risk assessor training course will be qualified for licensure as a risk assessor. On April 1, 1998, additional federally required education and experience requirements will go into effect.
- 10) Are There Any Proposed Amendments Pending on this Part? No
- 11) Statement of Statewide Policy Objectives: These rules will not require any new expenditures by units of local government.
- 12) Information and Questions Regarding these Emergency Amendments shall be directed to:

Gail M. DeVito
535 West Jefferson, Fifth Floor
Springfield, Illinois 62761
217/782-2043
e-mail:rules@idph.state.il.us

The full text of the Emergency Amendments begins on the next page:

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF EMERGENCY AMENDMENTS

TITLE 77: PUBLIC HEALTH
CHAPTER I: DEPARTMENT OF PUBLIC HEALTH
SUBCHAPTER P: HAZARDOUS AND POISONOUS SUBSTANCES

PART 845

LEAD POISONING PREVENTION CODE

Section	Definitions
845.10	Incorporated Materials
845.12	Lead Screening
845.15	Reporting
845.20	Provision of Data
845.21	Laboratory Fees for Blood Lead Screening
845.23	Case Follow-Up
845.25	Inspection of Dwellings, Residential Buildings or Child Care Facilities
845.26	Lead Inspector, Risk Assessor, Worker, Contractor/Supervisor, and Contractor Licensing
845.28	Emergency
845.29	Safety Guidelines for Workers Removing or Covering Leaded Soil
845.30	Mitigation or Abatement of Lead Hazards
845.31	Lead Abatement Contractor Responsibilities
845.32	Lead Contractor/Supervisor Responsibilities
845.33	Dwellings Not Requiring Abatement or Mitigation
845.40	Approval of Units of Local Government or Health Departments as Delegate Agencies to Administer and Enforce the Lead Poisoning Prevention Act
845.50	Permissible Limits of Lead in and about Dwellings, Residential Buildings or Child Care Facilities
845.60	Placarding of Dwellings (Repealed)
APPENDIX A	Instructions for Childhood Blood Lead Poisoning Reporting System
EXHIBIT A	Instructions for Completing the Laboratory Based Report of Childhood Lead Poisoning
EXHIBIT B	Instructions for Submitting Follow-Up Data for Children With Blood Lead Levels > 15 mcg/dL
EXHIBIT C	Instructions for Reporting Information by Delegate Agencies on Environmental Inspection for Cases of 20 mcg/dL and Above (Repealed)
APPENDIX B	Testing for Lead in Paint by Portable X-Ray Fluorescence Lead in Paint Analyzer (XRF) (Repealed)
APPENDIX C	Diagrams of Building Components
ILLUSTRATION A	Inspection Forms and Diagram of Building Components (Repealed)
APPENDIX D	Recommended Setup and Use of a Negative Pressure System
ILLUSTRATION A	Examples of Negative Pressure Systems
APPENDIX E	Soil Sampling

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APPENDIX F Childhood Lead Risk Assessment Questionnaire
 APPENDIX G Information Agreement
 APPENDIX H Childhood Lead Poisoning Assessment and Screening Algorithm

AUTHORITY: Authorized by and implementing the Lead Poisoning Prevention Act [410 ILCS 45].

SOURCE: Adopted July 15, 1976; amended at 2 Ill. Reg. 43, effective October 23, 1978; rules repealed; new rules adopted and codified at 6 Ill. Reg. 14849, effective November 24, 1982; amended at 7 Ill. Reg. 7652, effective June 14, 1983; amended at 8 Ill. Reg. 8242, effective May 25, 1984; amended at 10 Ill. Reg. 5138, effective April 1, 1986; amended at 17 Ill. Reg. 1884, effective February 1, 1993; amended at 19 Ill. Reg. 238, effective December 31, 1994; amended at 21 Ill. Reg. 7444, effective May 31, 1997; emergency amendment at 21 Ill. Reg. _____, effective October 31, 1997, for a maximum of 150 days.

NOTE: In this Part, superscript numbers or letters are denoted by parentheses; subscript are denoted by brackets.

Section 845.28 Lead Inspector, Risk Assessor, Worker, Contractor/Supervisor, and Contractor Licensing
EMERGENCY

- a) A person shall be licensed by the Department prior to engaging in lead inspection and compliance sampling activities. After October 31, 1997, a person shall be licensed by the Department, in accordance with subsection (g) of this Section, prior to engaging in risk assessor activities. The Department shall issue a Lead Inspector's License to qualified applicants. In order to qualify, an applicant shall:
- 1) be at least 18 years of age;
 - 2) attend a Department approved course, in accordance with subsection (f) of this Section, and pass the examination administered at the conclusion of the course;
 - 3) submit a recent 1" x 1" photograph of applicant for proper identification of the licensee. The license shall not be issued without an identification photograph;
 - 4) attend a three day Department-approved course, in accordance with subsection (f)(2) of this Section; and
 - 5) submit to the Department the required fee.

- b) Application. Each person desiring licensure as a lead inspector or risk assessor shall make application to the Department on forms provided by the Department. Each application shall be accompanied by a \$100 nonrefundable fee, and a certificate verifying satisfactory completion of a Department-approved lead inspector training course within one year prior to application for a lead inspector license. In addition to the application requirements for a lead inspector's license, an application for the risk assessor's license shall include a \$100 non-refundable fee and a certificate verifying satisfactory

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completion of a Department-approved risk assessor training course within one year prior to application. Employees of the Illinois Department of Public Health, a delegate agency, or a local health department shall be exempt from licensure fees when such employees' licenses are used only for purposes related to employment at the above-mentioned agencies.

- c) Reciprocity. Each applicant for licensure who is licensed or certified as a lead inspector or risk assessor in another state may request reciprocal licensure. The Department shall evaluate the requirements for licensure in such other state and shall issue the license if the Department determines that the requirements for licensure in such other state are equal to or greater than the requirements for licensure in Illinois. Each applicant for licensure pursuant to this Section shall submit an application accompanied by a nonrefundable fee of \$100.

- d) All licenses shall be renewed annually. All licenses shall expire on January 31 of each year, except licenses issued after October 31 and before February 1 shall expire on the next following January 31. The licensee shall be charged a nonrefundable fee of \$15 for the issuance of a duplicate license.

- e) Renewal of License. Any license issued pursuant to these rules may be renewed if the licensee submits the application and a \$100 nonrefundable fee as required by subsection (a)(5) of this Section and has a certificate of completion of a Department-approved one day (8 hour) lead inspector or risk assessor refresher course. The refresher course content shall be the same as that indicated in subsection (f) of this Section for the inspector's license, or subsection (j) of this Section for the risk assessor's license. If a renewal application is received after January 1, the applicant shall pay a nonrefundable late fee of \$15 in addition to the renewal fee of \$100. An applicant whose licenses has been expired for a period less than 2 years may apply to the Department for reinstatement of his license. The Department shall issue such renewed license provided the applicant pays to the Department all lapsed license fees, plus a reinstatement fee of \$15. A license which has been expired for more than 2 years may be restored only by submitting a new application as specified in subsection (b) of this Section and successfully passing an approved lead inspection training course for a lead inspector's license and the additional risk assessor training course for a risk assessor's license.

- f) Approved Course Content. All lead inspectors and risk assessors shall have taken a qualifying training course which meets the requirements set out in this subsection and shall have received a certificate of completion. A training course in lead inspection shall:

- 1) Receive approval from the Department; and
- 2) Provide at least a three day course (equivalent to 24 hours of instruction) for individuals without experience as required in this Section, two days of which are dedicated to the topics specified in subsections (f)(2)(C), (E) and (F) of this Section:

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- 2) Attend--a--two-day--Department--approved--risk--assessor--training course--that covers the curriculum specified in subsection (f) of this Section;
- 3) Possess--at-a-minimum--one--of--the--following--combinations--of education and experience:
- A) A bachelor's degree and one year of experience in a related field (e.g., lead, asbestos, environmental remediation work, or construction); or
 - B) An associate's degree and 2 years of experience in a related field (e.g., lead, asbestos, environmental remediation work, or construction); or
 - C) Certification as an industrial hygienist, professional engineer, registered architect or certification in a related engineering/health/environmental field (e.g., safety professionally, environmental scientist); or
 - B) A high school diploma for equivalent and at least three years of experience in a related field (e.g., lead, asbestos, or environmental remediation work);
- h) A training course in lead risk assessment shall receive approval from the Department when the following criteria have been met:
- 1) A training manager who is responsible for compliance with all requirements in this Section has been designated;
 - 2) A principal instructor has been designated;
 - 3) The responsibilities of the training manager and principal instructor are described;
 - 4) Documentation of the qualifications of the training manager and principal instructor is provided;
 - 5) Adequate facilities for classroom and field hands-on training are specified;
 - 6) A minimum of 16 hours, in not less than two days, with a minimum of 4 hours of hands-on instruction are provided;
 - 7) A final exam with criteria for pass/fail is administered;
 - 8) A model of the certificate of course completion with name/address/phone number of the training course provider and student information (name, social security number, dates of course, and indication of pass/fail) is submitted to the Department for each student after course completion;
 - 9) A quality control plan to improve the course is provided;
 - 10) Copies of student and instructor manuals and course agenda are included;
 - 11) A class schedule is included;
 - 12) Assurance to the Department that a lead inspector training course certificate of completion is required of each applicant as a prerequisite for risk assessor training course attendance;
- 13) The required application fee as specified in subsection (1) of this Section has been received by the Department.
- i) The curriculum for the risk assessor training course shall include the following:

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- A) health effects of lead exposure;
- B) requirements of regulations and standards established by the Department;
- C) lead sampling techniques;
- D) chemistry related to the lead abatement industry;
- E) construction techniques;
- F) inspection and clearance sampling techniques; and
- G) safety.
- 9) The Department shall issue a risk assessor's license to qualified applicants. In order to qualify, an applicant shall:
- 1) Comply with the requirements for the lead inspector's license specified in subsections (a)(1) through (5) of this Section. The Department may approve a third party examination (e.g., an examination required by federal law under 40 CFR 745) for any license required by Section 845.28 for lead abatement or mitigation services.
 - 2) Prior to April 1, 1998, to qualify for a risk assessor license, a Person shall:
 - Submit a certificate from an approved initial lead inspector training course and a certificate from an initial risk assessor training course or submit a certificate from an initial risk assessor training course and be a currently licensed lead inspector.
 - 3) After March 31, 1998, to qualify for licensure as a risk assessor, a person shall:
 - A) submit a certificate from an approved initial lead inspector training course and a certificate from an approved initial risk assessor training course; or
 - B) submit a certificate from an approved initial risk assessor training course, be a currently licensed lead inspector, and possess, at a minimum, one of the following combinations of education and experience:
 - i) A bachelor's degree in science, engineering, or environmental health; or
 - ii) A bachelor's degree in any discipline and one year of experience in a related field (e.g., lead, asbestos, environmental remediation work, or construction); or
 - iii) An associate's degree in any discipline and two years of experience in a related field (e.g., lead, asbestos, environmental remediation work, or construction); or
 - iv) Be licensed as an industrial hygienist, professional engineer, architect or environmental health practitioner; or
 - v) A high school diploma (or equivalent) and at least three years of experience in a related field (e.g., lead, asbestos, environmental remediation work, or construction).

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- 1) Role and responsibilities of the risk assessor;
 - 2) Collection of background information to perform a risk assessment;
 - 3) Sources of environmental lead contamination (paint surface dust and soil, water, air, packaging, and food);
 - 4) Visual inspection procedures for the purpose of identifying potential sources of lead-based paint hazards;
 - 5) Lead hazard screening protocol;
 - 6) Sampling for sources of lead exposure;
 - 7) Interpretation of lead-based paint and other lead sampling results, including all applicable State and federal guidance pertaining to lead-based paint hazards (i.e., federal statutes and regulations);
 - 8) Development of hazard control options, the role of interim controls, and operations and maintenance activities to reduce lead-based paint hazards; and
 - 9) Preparation of a final risk assessment report.
- j) A refresher training course in risk assessment shall receive approval from the Department when the following criteria has been met:
- 1) Cover the same topics as the full length course specified in subsection (1) of this Section, plus current safety practices, current laws and regulations, and current technologies;
 - 2) Be at least 8 hours long;
 - 3) Provide a hands-on assessment and a course test;
 - 4) Apply concurrently for approval with the initial lead inspector course; or
 - 5) Submit the information contained in subsection (h)(1) through (10) except (6) of this Section in a written application to the Department.
- k) Suspension, revocation, or denial of training courses. The Department may suspend, revoke or deny approval of any lead training course for the following reasons:
- 1) Misrepresentation of the contents of a training course to the Department and/or the student population;
 - 2) Failure to submit required information or notifications in a timely manner;
 - 3) Failure to maintain required records;
 - 4) Falsified records, instructor qualifications, or other related information or documentation;
 - 5) Failure to comply with the training standards and requirements in this Section;
 - 6) Failure to comply with federal, State, or local lead-based paint statutes or regulations.
- l) Application fees for approval and renewal of lead training courses:
- 1) All current Department approved lead training courses will expire on October 15, 1997.
 - 2) After October 15, 1997, all initial lead training course application fees will be \$200 per discipline and all lead

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- refresher training course application fees will be \$100 per discipline.
- 3) Approvals for lead training courses shall be issued for one year. Applications for renewal of all lead training courses must be received, with fees, by September 15 of each year. If the renewal application is received after September 15, a \$50 late fee shall be charged for each late training course application.
 - 4) Application fees for all lead training courses, effective October 15, 1998, will be:
 - A) Initial training course for all disciplines, \$500 per course.
 - B) Refresher training course for all disciplines, \$250 per course.
 - C) Late fees for all disciplines, \$50 per course.
- m) Lead Worker and Contractor/Supervisor Licensing. A lead worker or lead contractor/supervisor shall be licensed by the Department prior to engaging in lead abatement or mitigation activities. Such licenses are nontransferable and shall be available at the lead abatement contractor's primary place of business for inspection by the Department or delegate agency.
- n) The Department shall issue a Lead Worker License or Lead Contractor/Supervisor License to qualified applicants who comply with the requirements of subsections (a)(1), (3), and (5) of this Section. In addition, applicants shall attend a Department-approved course, in accordance with subsections (s)(2)(A) through (K) of this Section for lead workers and subsections (s)(2) and (3) of this Section for contractors/supervisors and shall pass the examinations administered at the conclusion of the course.
- o) Application. Each person desiring licensure as a lead worker or lead contractor/supervisor shall make application to the Department on forms or in a format provided by the Department. Each application shall be accompanied by a nonrefundable fee of \$25 for a Lead Worker License or \$50 for a Lead Contractor/Supervisor License, and a certificate verifying completion of a Department-approved course, within one year prior to application, except as provided in this subsection. Employees of the Department, a delegate agency, or a local health department shall be exempt from licensure fees when such employee's license is used only for purposes related to employment at the above-mentioned agencies. A course taken after 1991 may qualify an applicant for licensure, provided the course is determined by the Department to be substantively equivalent to the requirements for approved course content specified in subsection (s) of this Section. Only Department-approved training courses will be accepted for application for licensure.
- p) Reciprocity. Each applicant for licensure who is licensed or certified as a lead worker or lead contractor/supervisor in another state may request reciprocal licensure. The Department shall evaluate the requirements for licensure in such other state and shall issue the

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license if the Department determines that the requirements for licensure in such state are equal to or greater than the requirements for licensure in Illinois. Each applicant for licensure pursuant to this subsection shall submit an application, on forms or in a format provided by the Department, accompanied by a nonrefundable fee of \$25 for a Lead Worker License and \$50 for a Lead Supervisor/Contractor License.

q) Renewal of License. All Lead Worker and Lead Contractor/Supervisor Licenses shall be renewed annually. All licenses shall expire on March 31 of each year, except licenses issued after December 31 and before April 1 shall expire on the next following March 31. Any current license issued pursuant to this Section may be renewed if the licensee submits, prior to March 1, a renewal application on forms or in a format provided by the Department; a nonrefundable fee of \$25 for a Lead Worker License or \$50 for a Lead Contractor/Supervisor License; and a certificate verifying completion, within one year prior to application for renewal, of a Department-approved one day (8 hour) lead worker or lead contractor/supervisor refresher course. The refresher course content shall be the same as that indicated in subsection (s)(2) of this Section for a Lead Worker License or subsections (s)(2) and (3) of this Section for a Lead Contractor/Supervisor License. If a renewal application is received after March 1, the applicant shall pay a nonrefundable late fee of \$15, in addition to the license renewal fee. An applicant whose license has been expired for a period of two years or less may apply to the Department for reinstatement of his license. The license shall be reinstated if the applicant submits to the Department a certificate verifying completion of the required type and number of refresher courses for the license category, all lapsed license fees, and a nonrefundable reinstatement fee of \$15. A license that has been expired for more than two years is not eligible for renewal. In such instances, the formerly licensed individual desiring to become licensed again shall follow the application procedures specified in subsection (n) of this Section.

r) Duplicate License. A duplicate license shall be issued to a currently licensed lead worker, contractor/supervisor, or contractor upon submittal of a \$15 nonrefundable duplicate license fee.

s) Approved Course Content. All lead workers or lead contractor/supervisors shall have taken a Department-approved training course which meets the requirements set out in this subsection and shall have received a certificate of completion upon passing the examination administered at the conclusion of the course. A training course for lead workers and lead contractor/supervisors shall:

- 1) Receive approval from the Department; and
- 2) Provide at least a minimum three-day course (equivalent to 24 hours) for the instruction of individuals who desire to be licensed as lead workers and a four-day course (equivalent to 32 hours) for individuals who desire to become licensed as lead

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF EMERGENCY AMENDMENTS

contractor/supervisors. The three-day course shall be dedicated to the following topics:

- A) History of Lead;
- B) Health Effects of Lead Exposure;
- C) Medical Surveillance of Lead Poisoned Individuals;
- D) Legal Rights and Responsibilities;
- E) Personal Protective Equipment;
- F) Safety Problems;
- G) Abatement Methods and Work Problems;
- H) Decontamination;
- I) Clean-up and Disposal Procedures;
- J) Lead Monitoring and Tests; and
- K) Hazard Communication.

3) In addition to subsections (s)(2)(A) through (K) of this Section, a lead contractor/supervisor shall complete a lead contractor/supervisor supplemental course, which shall consist of an additional eight hours (one day) of training, and shall pass the examination administered at the conclusion of the course. The supplemental training course for lead contractor/supervisors shall be dedicated to the following topics:

- A) Lead Inspection;
- B) Supervisory Techniques;
- C) Occupational Safety and Health Administration (OSHA) Lead Standard 1910.1025 and 29 CFR 1926.62 (1993);
- D) Department of Housing and Urban Development (HUD) Guidelines for the Evaluation and Control of Lead-Based Paint Hazards in Housing (June 1995).

t) The Department shall prepare and maintain a list of licensed lead abatement contractors.

1) Requirements of Licensure. An applicant for a lead abatement contractor license shall submit the following to the Department:

- A) an application on a form or in a format provided by the Department;
- B) a \$500 nonrefundable licensure fee or, for applications received on or after December 1, a \$250 nonrefundable licensure fee;
- C) a certificate of financial responsibility documenting that the contractor carries liability insurance, self insurance, group insurance, group self insurance, a letter of credit, or a bond in the amount of at least \$250,000 for work performed pursuant to the Lead Poisoning Prevention Act and Lead Poisoning Prevention Code. The contractor shall notify the Department of any changes in the status of the certificate of financial responsibility, including expiration, renewal or alteration of the terms of the certificate. The certificate of financial responsibility shall be an original and shall expressly provide coverage for lead abatement. A photocopy or facsimile copy is not

DEPARTMENT OF PUBLIC HEALTH

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acceptable. The certificate shall be issued by an insurance company that is authorized to transact business in Illinois. A current certificate of insurance shall be on file with the Department at all times;

- D) a copy of a valid Contractor/Supervisor's License issued to either the Contractor or the contractor/supervisor employed by the contractor;
- E) a written statement signed by the contractor specifying that only lead workers licensed by the Department will be employed for lead abatement;
- F) a copy of the contractor's written standard operating procedures and employee protection plan, which shall include specific references to medical monitoring and respirator training programs required in OSHA regulations at 29 CFR 1910.1001 and 29 CFR 1926.62 (1993);
- G) a description of all legal proceedings, lawsuits or claims which have been filed or levied against the contractor or any of his past or present employees or companies in regard to construction related activities.

- 2) Reciprocity. An applicant for a contractor's license who is licensed or certified for lead contracting in another state may request reciprocal licensure. The Department shall evaluate the requirements for licensure in such other state and shall issue the license, if the Department determines that the requirements for licensure in such other state are equal to the requirements for licensure in this State. Each applicant for licensure pursuant to this subsection shall submit a one time application fee of \$250 nonrefundable and an additional \$500 nonrefundable license fee if qualified for licensure.

- 3) Renewal of license. All contractor licenses shall be renewed annually. All licenses shall expire on May 31 of each year. If a renewal application is received after April 30, the applicant shall pay a nonrefundable late fee of \$100, in addition to the \$500 nonrefundable renewal fee. An applicant whose license has expired for a period of three years or less may apply to the Department for reinstatement of the license. The license shall be reinstated if the applicant submits to the Department all lapsed license fees and a reinstatement fee of \$100. A license which has expired for more than three years is not eligible for renewal. In such instances, the formerly licensed individual desiring to be licensed shall follow the application procedures specified in subsection (t)(1) of this Section.

u) Denial of application, and suspension or revocation of license:

- 1) The Director, after notice and opportunity for hearing, may deny the application for, or suspend or revoke the license of, a lead abatement contractor, contractor/supervisor, worker, lead assessor, or inspector in any case in which the Director finds substantial or continued failure to comply with this part.

DEPARTMENT OF PUBLIC HEALTH

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- 2) Such notice shall be made by certified mail or by personal service and shall set forth the particular reasons for the proposed action and provide the applicant or licensee with an opportunity to request a hearing. If a written hearing request is not received within 15 days after receipt of the notice by the applicant or licensee, the right to a hearing is waived.

(Source: Emergency amendment at 21 Ill. Reg. _____, effective October 31, 1997, for a maximum of 150 days)

DEPARTMENT OF LABOR

NOTICE OF PUBLIC INFORMATION

LIST OF CONTRACTORS PROHIBITED FROM AN AWARD
OF A CONTRACTOR OR A SUBCONTRACT
FOR PUBLIC WORKS PROJECTS

Pursuant to Section 11a of the Prevailing Wage Act, 820 ILCS 130/0.01-12 (1996), the Director of the Department of Labor gives notice that the following contractors have been found to have disregarded their obligations to employees under the Prevailing Wage Act on two (2) separate occasions and are prohibited from being awarded any contract or subcontract for a public works project for:

1) a two (2) year period from date of publication:

Kandu Brothers Construction Company, Inc.
8159 North Lincoln
Skokie, Illinois 60077

2) the period of July 7, 1997 to July 6, 1999:

a) D & D Sewer Service
201 Heitman Drive
Lincoln, Illinois 62656

b) Mr. Tim Maroulis
Northwestern Contractors, Inc.
1117 West 148th Street
East Chicago, Indiana 46312

3) the period of March 26, 1997 to March 25, 1999:

Ronald A. Wiltsie
d/b/a Wiltsie Construction
210 South Foggit
Edinburg, Illinois 62531

4) a two (2) year period ending January 31, 1999:

Mr. Mike Brown and Ms. Judith Brown
Brown's Plumbing and Heating
830 18th Street
Charleston, Illinois 61920

5) the period of January 27, 1997 to January 26, 1999:

Mr. William G. King
King Carpentry
P.O. Box 204
McNabb, Illinois 61335

6) a two (2) year period ending October 31, 1998:

G.O.B. Builders, Inc.
4425 North Elston Avenue
Chicago, Illinois 60630

7) a two (2) year period ending October 27, 1998:

Mr. Rick Schlosser
Rick's Concrete
409 Wirt Street
Henry, Illinois 61537

8) a two (2) year period ending October 3, 1998:

Huffman Farm Supply, Inc.
702 Minier Avenue
P.O. Box 463
Minier, Illinois 61759

Mr. John A Manning, President
Ms. Peggy A. Haning, Secretary

Copies of the Prevailing Wage Act are available at the:

Illinois Department of Labor
Conciliation and Mediation Division
One West Old State Capital Plaza, Room 300
Springfield, Illinois 62701-1217

POLLUTION CONTROL BOARD

NOTICE OF PUBLIC INFORMATION ON PROPOSED AMENDMENTS

NOTICE PURSUANT TO 415 ILCS 5/7.2(b)

Pursuant to Section 13(c) and 22.4(a) of the Environmental Protection Act (Act) (415 ILCS 5/13(c) & 22.4(a) (1992)), the Board is preparing to adopt amendments to the Resource Conservation and Recovery Act Subtitle C (RCRA Subtitle C) hazardous waste and Safe Drinking Water Act (SDWA) underground injection control (UIC) regulations. By an order, dated October 16, 1997, the Board set forth reasons for delay as to the amendments as follows:

REASONS FOR DELAY

Section 22.4(a) provides for quick adoption of regulations that are "identical in substance" to federal regulations adopted by the U.S. Environmental Protection Agency (USEPA) to implement Sections 3001 through 3005 of the Resource Conservation and Recovery Act of 1976 (RCRA Subtitle C, 42 U.S.C. Sections 6921-6925). Section 7.2(a) of the Act requires the Board to complete its identical-in-substance rulemaking actions within one year after the date of the USEPA action on which they are based. Section 7.2(b) allows the Board to extend the deadline for adoption by publication of a notice of reason for delay in the *Illinois Register*. The Board hereby sets forth the reasons for delay for the purposes of such an extension of time.

On October 17, 1996, the Board adopted an order in this matter that set forth the reasons for delay. That order set forth the reasons as follows:

Due to the present and recent-past demands on Board resources and personnel, including those associated with completing the two prior updates, R95-4/R95-6 and R95-20, the Board has been unable to commence the amendments in dockets R96-10 and R97-5 in such a way that it has been able to complete rulemaking activities within one year. The amendments involved in dockets R95-4/R95-6 and R95-20 represented significant efforts on the part of the Board, given the magnitude of the amendments and competing priorities for the Board and its staff. Those amendments, the magnitude of the amendments involved in consolidated docket R96-10/R97-3/R97-5, and other competing priorities have resulted in unavoidable delay.

On May 1, 1997, the Board again found it necessary to set forth reasons for delay. That order again found the following reasons:

In addition to the reasons for previous delay, the Board has encountered others. Principally, these deal with the format in which federal amendments are submitted to the public. The federal Government Printing Office, which prints the *Federal Register* and the *Code of Federal Regulations*, does not require federal agencies to highlight the exact text of their amendments, as is required in

POLLUTION CONTROL BOARD

NOTICE OF PUBLIC INFORMATION ON PROPOSED AMENDMENTS

Illinois by the Secretary of State for publication in the *Illinois Register*. Rather than omit unaffected segments of text from certain sections under amendment, USEPA simply printed the entire text of the massive tables to 40 CFR 268.40 and 268.48 and nearly the entire revised text of 40 CFR 264, subpart CC and 265, subpart CC that it had amended. As a result, the Board must compare the text of the federal amendments with the prior version on a line-by-line basis, which has proven much more time-consuming than originally estimated.

The Board adopted a proposal for public comment in this matter on July 24, 1997. Notices of Proposed Amendments appeared in the August 8, 1997, issue of the *Illinois Register*, at 21 Ill. Reg. 10218 (Part 738), 10235 (Part 720), 10251 (Part 721), 10342 (Part 725), 10492 (Part 728), 10648 (Part 702), 10667 (Part 703), 10699 (Part 723), 10712 (Part 722), 10742 (Part 724), 10851 (Part 726), 10863 (Part 739), and 10878 (Part 733). The public comment period ended after September 22, 1997, and the Board has been diligently working since that time to prepare an opinion and order to adopt the amendments. Due to the extreme volume of the amendments, this work has taken more time than originally anticipated.

The Board presently expects to consider an opinion and order at our November 6, 1997, meeting, in order to adopt the amendments. The Board must then delay filing the amendments with the Secretary of State for 30 days, pursuant to an agreement with USEPA, in order to allow USEPA Region V an opportunity to review the amendments before filing. This will allow the Board to file the regulations on or about December 6, 1997, when they would become effective.

JOINT COMMITTEE ON ADMINISTRATIVE RULES
ILLINOIS GENERAL ASSEMBLY

STATEMENT OF RECOMMENDATION
FOR FUTURE RULEMAKING

DEPARTMENT OF NATURAL RESOURCES

At its meeting on October 21, 1997, the Joint Committee on Administrative Rules, in considering a rulemaking of the Illinois Historic Preservation Agency, recommended that the Illinois State Museum review its policies that affect the public and initiate rulemaking to codify its policies and procedures not currently in rule.

The agency should respond to this Recommendation in writing within 90 days after receipt of this Statement. Failure to respond will constitute refusal to accede to the Committee's Recommendation. The agency's response will be placed on the JCAR agenda for further consideration.

JOINT COMMITTEE ON ADMINISTRATIVE RULES
ILLINOIS GENERAL ASSEMBLY

SECOND NOTICES RECEIVED

The following second notices were received by the Joint Committee on Administrative Rules during the period of October 28, 1997 through November 3, 1997 and have been scheduled for review by the Committee at its November 12, 1997 meeting in Springfield or the December 16, 1997 meeting in Chicago. Other items not contained in this published list may also be considered. Members of the public wishing to express their views with respect to a rule should submit written comments to the Committee at the following address: Joint Committee on Administrative Rules, 700 Stratton Bldg., Springfield IL 62706.

Second Notice Expires	Agency and Rule	Start of First Notice	JCAR Meeting
12/12/97	Department of Public Aid, Child Support Enforcement (89 Ill Adm Code 160)	7/11/97 21 Ill Reg 8854	11/12/97
12/12/97	Division of Specialized Care for Children, Program Content and Guidelines for Division of Specialized Care for Children (89 Ill Adm Code 1200)	5/30/97 21 Ill Reg 6404	11/12/97
12/12/97	Department of Commerce and Community Affairs, Job Training and Economic Development Demonstration Grant Program (56 Ill Adm Code 2660)	9/5/97 21 Ill Reg 12063	11/12/97
12/13/97	Environmental Protection Agency, Procedures and Requirements for Determining Loan Priorities of Projects in the Public Water Supply Loan Program (35 Ill Adm Code 663)	8/1/97 21 Ill Reg 9931	11/12/97
12/13/97	Environmental Protection Agency, Procedures for Issuing Loans from the Public Water Supply Loan Program (35 Ill Adm Code 662)	8/1/97 21 Ill Reg 9947	11/12/97
12/17/97	Department of Children and Family Services, Licensing Standards for Day Care Centers (89 Ill Adm Code 407)	1/3/97 21 Ill Reg 169	12/16/97
12/17/97	Secretary of State, Regulations Under Illinois Securities Law of 1953 (14 Ill Adm Code 130)	7/11/97 21 Ill Reg 8861	12/16/97

JOINT COMMITTEE ON ADMINISTRATIVE RULES
ILLINOIS GENERAL ASSEMBLY

SECOND NOTICES RECEIVED

12/17/97	Illinois Racing Board, Medication (11 Ill Adm Code 603)	9/5/97 21 Ill Reg 12091	12/16/97
12/17/97	Illinois Racing Board, Countdown (11 Ill Adm Code 317)	9/5/97 21 Ill Reg 12084	12/16/97
12/17/97	Illinois Racing Board, Match Rival (11 Ill Adm Code 315)	9/5/97 21 Ill Reg 12087	12/16/97
12/17/97	Illinois Racing Board, PPT (11 Ill Adm Code 314)	9/5/97 21 Ill Reg 12095	12/16/97
12/17/97	Illinois Racing Board, Income Tax (86 Ill Adm Code 100)	9/5/97 21 Ill Reg 12100	12/16/97
12/17/97	The Department of Revenue, Income Tax (86 Ill Adm Code 100)	9/5/97 21 Ill Reg 12100	12/16/97
12/17/97	Health Care Cost Containment Council, Data Collection (77 Ill Adm Code 2510)	9/12/97 21 Ill Reg 12370	12/16/97

Rules acted upon during the quarter of April 1 through June 30, 1997 (Issues 17-28) are listed in the Issues Index by Title number, Part number and Issue number. For example, 50 Ill. Adm. Code 4401 published in Issue 40 will be listed as 50-4401-40. The letter "R" designates a rule that is being repealed. The quarterly Sections Affected Index and Cumulative Index will be published in Issue 29 (July 15); Issue 42 (October 17); and Issue 3 (January 16, 1998). Inquiries about the Issues Index may be directed to the Administrative Code Division at 217-782-4414 or junitale@ccgate.sos.state.il.us (Internet address).

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SECRETARY OF STATE
INDEX DEPARTMENT
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SPRINGFIELD, IL 62756

